

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

DeLeys et al

Atty. Ref.: 2551-141

Serial No. Div. of SN 10/044,995

Group: Unassigned

Filed: April 12, 2004

Examiner: Unassigned

For: SYNTHETIC ANTIGENS FOR THE DETECTION OF  
ANTIBODIES TO HEPATITIS C VIRUS

\* \* \* \* \*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

April 13, 2004

Sir:

**INFORMATION DISCLOSURE STATEMENT**

- ☒ 1. **PTO-1449 Pursuant to 37 CFR 1.97(b)**  
[within 3 months of filing or prior to 1st Office Action on the merits]  
N/C
- ☐ 2.(a) **Statement Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance (requires Rule 97(e)  
Statement or Rule 17(p) fee)]  
N/C
- ☐ 2.(b) **Fee Payment Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance (requires Rule 97(e)  
Statement or Rule 17(p) fee)]  
\$180.00
- ☐ 3. **Pursuant to 37 CFR 1.97(d)**  
[after Final Office Action or Allowance (requires Rule 97(e)  
Statement and Rule 17(p) fee), but before final fee payment]  
\$180.00

The following are submitted in the above-identified application in compliance with  
37 C.F.R. §§ 1.97 and 1.98:

- ☒ 4. A list of documents on Form PTO-1449 together with copies of each identified document and a translation or a concise explanation of each non-English language document (such as a Search Report) is enclosed herewith. Copies of the cited documents are not believed to be required as the same are of record in the parent Application Serial No. 10/044,995. The Examiner is requested to advise the undersigned however if further copies of the cited documents are required.

This paper is submitted in accordance with:

- ☒ 5. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
- ☐ 6. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and
- ☐ a) The required Statement made in item 8 below; or
- ☐ b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.
- ☐ 7. 37 CFR §1.97(d): [after Final Office Action or Allowance (requires Rule 97(e) Statement and Rule 17(p) fee), but before final fee payment]; and
- ☐ a) The fee (\$180.00) required by 37 CFR §1.17(p) is submitted herewith; and
- ☐ b) The required Statement is stated in item 8 below.
- ☐ 8. Statement under 37 CFR 1.97(e)
- ☐ a) The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or
- ☐ b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information

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contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

- ☒ 9. Please charge all deficiency fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

Respectfully submitted,  
NIXON & VANDERHYE P.C.

By: \_\_\_\_\_



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Sheet 1 of 1

**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

ATTY. DOCKET NO.

2551-141

DIVISIONAL OF  
SERIAL NO.

10/044,995

APPLICANT

Robert J. DELEYS, et al

FILING DATE

April 13, 2004

GROUP

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,350,671	9/1994	Houghton			
	5,106,726	4/1992	Wang			
	5,302,507	4/1994	Chiba et al			
	5,910,404	6/1999	DeLeys			
	5,922,532	7/1999	DeLeys			
	6,007,982	12/1999	DeLeys et al			
	6,312,889	11/2001	Houghton et al			
	5,683,864	11/1997	Houghton et al			

**FOREIGN PATENT DOCUMENTS**

						TRANSLATION	
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	YES	NO
	0 318 216	5/1989	EPO			X	
	0 468 527	1/1992	EPO			X	
	0 484 787	5/1992	EPO			X	
	WO 92/01714	2/1992	PCT			X	
	WO 89/04669	6/1989	PCT			X	
	0 450 931	10/1991	EPO			X	
	0 445 423	9/1991	EPO			X	
	0 471 356	2/1992	EPO			X	
	0 445 801	9/1991	EPO			X	
	0 442 394	8/1991	EPO			X	
	0 451 891	10/1991	EPO			X	
	388232	9/1990	EPO				

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, etc.)**

	CHOO, Q.L., et al, <u>Science</u> 244 : 359-362 (1989) "Isolation of a cDNA Clone Derived from a Blood-Borne Non-A, Non-B Viral Hepatitis Genome"		
	KUO, G., et al, <u>SCIENCE</u> , 244 : 362-364 (1989) "An Assay for Circulating Antibodies to a Major Etiologic Virus of Human Non-A, Non-B Hepatitis"		
	OKAMOTO, H., et al, <u>Japan J. Exp. Med.</u> , 60:3 167-177 (1990) "The 5'-Terminal Sequence of the Hepatitis C Virus Genome"		
	OKAMOTO, H., et al, <u>Japan J. Exp. Med.</u> , 60:4 223-233 (1990) "Enzyme-Linked Immunosorbent Assay for Antibodies against the Capsid Protein of Hepatitis C Virus with a Synthetic Oligopeptide"		
	VIANCKS, R., <u>Eur. J. Clin. Microbiol. Infec. Dis.</u> , 9(9), 1990, "Evaluation of a line immunoassay ...", 674-676		
	SHIMONISHI Y., Ed. <u>Peptide Chemistry</u> , 1990 "Proceedings of the 26 <sup>th</sup> Symposium on Peptide Chemistry", Osaka, Oct. 25-27, 1990.		
	MUNEKATA et al, "Epitope-Mapping of Hepatitis C Virus ...", pp.211-214, Protein Research Foundation, Osaka, 1991		
*Examiner		Date Considered	

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.